

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

AUG 14 2009

Stephan Harris, Clerk
Cheyenne

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
KEVIN SNYDER,)
)
Defendant.)

CASE NO. 09-MJ-137-B

ORDER FOR MENTAL
EXAMINATION AND EVALUATION

This matter having come before the Court upon motion of the Defendant for psychiatric/psychological examination, pursuant to 18 U.S.C. §4241, 4242, and 4247(b) and (c) to determine whether the Defendant is mentally competent to stand trial and to determine whether the Defendant was legally insane at the time he allegedly committed the acts forming the basis for the criminal charge pending against him; and, the Court having carefully reviewed said motion and all of the materials presently on file in this matter and the United States having stated that it has no objection to the granting of the motion;

The Court finds pursuant to 18 U.S.C. §4241(a) that reasonable cause exists to believe the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

The Court further finds that, pursuant to 18 U.S.C. §§ 4241 and 4242, a psychiatric, psychological examination of the Defendant is required to determine whether the Defendant is

presently mentally competent to stand trial and to determine whether the Defendant was legally insane at the time he allegedly committed the offense charged in the Indictment. Therefore, being fully advised in the premises,

IT IS ORDERED that the Defendant be committed for a reasonable period not to exceed 45 days for a psychiatric, psychological examination in order to determine whether the Defendant is presently mentally competent to stand trial and in order to determine whether the Defendant **was legally insane at the time he allegedly committed the offense** charged in the Complaint, and that a report be prepared and filed with the Court, all in accordance with 18 U.S.C. §§4241(a), 4242(a) and 4247(b) and (c);

IT IS FURTHER ORDERED, pursuant to 18 U.S.C. §4247(c), that any examination conducted in accordance with chapter 313 shall be accompanied a psychiatric or psychological report prepared by the examiner or examiners and provided to the Court, counsel for the Defendant and the attorney for the Government. This report to include the following:

- (1) The persons history and present symptoms;
- (2) A description of any physical, psychiatric/psychological and medical tests that were employed and the results;
- (3) The examiners findings; and
- (4) The examiners opinions as to diagnosis, prognosis, and whether the

Defendant is suffering from a physical or mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and to opine as to **Defendant's mental condition at the time of the alleged offense**.

IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §3161(h)(1)(A), this

psychiatric and psychological examination will result in excludable delay under the Speedy Trial Act, 18 U.S.C. §3161, et seq., and that all time from the date of the filing of the motion for psychiatric and psychological examination until the date the Court has received all materials bearing on this issue from the examiner and the parties, and has ruled on the issue of the Defendant's competency, shall be excluded for purposes of computations under the Speedy Trial Act.

IT IS FURTHER ORDERED that the Defendant be committed to the custody of the United States Marshal and maintained in an appropriate Bureau of Prisons hospital/facility for the purpose of this examination.

DATED this 13th day of August, 2009.


UNITED STATES DISTRICT COURT JUDGE